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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/207,745	
	<b>Filing Date</b>	December 8, 1998	
	<b>First Named Inventor</b>	Daniel S. Simpkins	
	<b>Group Art Unit</b>	2666	
	<b>Examiner Name</b>	Phuc H. Tran	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	32172-143271

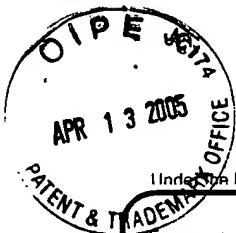
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Applicant's Statement of Loss of Entitlement to Small Entity Status and Submission of Deficiency Payment In Connection With Loss of Small Entity Status</b>
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Venable P.O. Box 34385 Washington, D.C. 20043-9998	26694 PATENT TRADEMARK OFFICE
Signature	 Daniel G. Vivarelli, Jr. Reg. No 51,137	
Date	April 13, 2005	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450b on this date: _____		
Typed or printed name	_____	
Signature	_____	Date _____



SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, 22313-1450.



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
538**Complete if Known**

Application Number	09/207,745
Filing Date	December 8, 1998
First Named Inventor	Daniel S. Simpkins
Examiner Name	Phuc H. Tran
Art Unit	2666
Attorney Docket No.	32172-143271

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: VENABLE LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 20 or HP =  $\text{Total Claims} - 20$  x  $\text{Fee}$  =  $\text{Fee Paid}$ 

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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- 3 or HP =  $\text{Indep. Claims} - 3$  x  $\text{Fee}$  =  $\text{Fee Paid}$ 

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 =  $\text{Total Sheets} - 100$  / 50 =  $\text{Number of each additional 50 or fraction thereof}$  x  $\text{Fee}$  =  $\text{Fee Paid}$  (round up to a whole number)**4. OTHER FEE(S)**

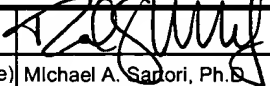
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency Fees in Connection with Amendment and Extension of Time

Fees Paid (\$)

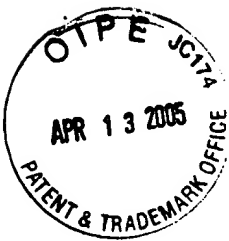
\$538.00

**SUBMITTED BY**

Signature	 57,157	Registration No. (Attorney/Agent) 41,289	Telephone (202) 344-4004
Name (Print/Type)	Michael A. Sartori, Ph.D.	Date April 13, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Daniel S. Simpkins et al.**

Appl. No: **09/207,745**

Confirmation No. **7213**

Filing Date: December 8, 1998

For: HYBRID SWITCHING

Art Unit: 2666

Examiner: Phuc H. Tran

Atty. Docket No. 32172-143271

Customer No. 26694

**Submission of Deficiency Payment In Connection With  
Loss of Small Entity Status**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.28(c), please charge \$538 to deposit account no. 22-0261 to serve as payment of a deficiency owed in connection with the filing of an Amendment and Petition for One-Month Extension of Time filed in the U.S. Patent and Trademark Office on November 24, 2004.

Pursuant to 37 C.F.R. § 1.28(c)(1), this paper is limited to the deficiency payment in connection with a loss of small entity status for the above-identified application.

Pursuant to 37 C.F.R. §§ 1.28(c)(2)(i) and 1.28(c)(2)(ii), a detailed calculation and itemization of the fees paid/owed appears below:

Adjustment date: 04/14/2005 SZEWDIE1  
11/26/2004 GWORDDF1 00000104 220261 09207745  
01 FC:2201 132.00 CR

Adjustment date: 04/14/2005 SZEWDIE1  
11/26/2004 GWORDDF1 00000104 220261 09207745  
02 FC:2251 55.00 CR

04/14/2005 SZEWDIE1 00000056 220261 09207745

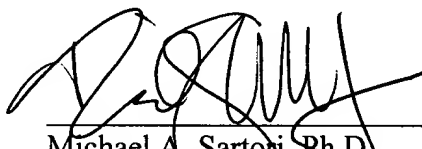
01 FC:1251 120.00 DA  
02 FC:1201 600.00 DA

<u>Fee Description</u>	<u>Amount Paid on 11/24/04</u>	<u>Current Fee</u>	<u>Amount Owed</u>
1. Extension for reply within first month	\$55.00	\$120.00	\$70.00
2. Extra claim fees	\$132.00 (3 @ \$44.00)	\$600.00 (3 @ \$200.00)	\$468.00
<b>Totals</b>	<b>\$187.00</b>	<b>\$820.00</b>	<b>\$538.00</b>

Should a greater or lesser fee be required, authorization is hereby given to charge any necessary fees or credit any overpayments to deposit account no. 22-0261.

Respectfully submitted,

Date: April 13, 2005

  
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 Daniel G. Vivarelli, Jr.  
 Registration No. 51,137  
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MAS/DGV  
 DC2/639859